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NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

Following consultations with the members of the Security Council, the President of the Council made the following statement, on behalf of the Council, at its 3162nd meeting, held on 11 January 1993, in connection with the Council's consideration of the item entitled "The situation between Iraq and Kuwait":

"The Security Council notes that there have been a number of recent actions by Iraq as part of its pattern of flouting relevant Security Council resolutions. One was the series of border incidents involving the United Nations Iraq-Kuwait Observation Mission (UNIKOM); another was the incident concerning the United Nations Special Commission (UNSCOM) and UNIKOM flights.

"The Security Council is deeply concerned at the incidents reported in the Secretary-General's special report of 10 January 1993 on UNIKOM (S/25085). The Security Council recalls the provisions of resolution 687 (1991) that established the Demilitarized Zone between Iraq and Kuwait and demanded that both countries respect the inviolability of the international boundary between them. It reaffirms that the boundary was at the very core of the conflict and that, in resolutions 687 (1991) and 773 (1991), it guaranteed the inviolability of the boundary and undertook to take as appropriate all necessary measures to that end in accordance with the Charter of the United Nations.

"The Council condemns the action taken by Iraq on 10 January 1993 to remove equipment by force from the Kuwaiti side of the demilitarized zone without prior consultation with UNIKOM, and through UNIKOM with the Kuwaiti authorities, as set out in the letter of 8 January 1993 from the President of the Security Council to the Secretary-General. In particular, the Council draws attention to the removal by Iraq of four HY-2G anti-ship missiles and other military equipment from the six bunkers in the former Iraqi naval base at Umm Qasr on Kuwaiti territory, in spite of the objections of UNIKOM and their efforts to prevent this. This action is a direct challenge to the authority of UNIKOM and amounts

to clear cut defiance by Iraq of the Council, which stipulated in the letter of 3 November 1992 from the President of the Council to the Secretary-General that the military equipment in the six bunkers should be destroyed by or under the supervision of UNIKOM. The Council demands that the anti-ship missiles and other military equipment removed by force from the six bunkers at Umm Qasr in Kuwaiti territory be returned immediately to the custody of UNIKOM for destruction, as previously decided.

"The Council also condemns further Iraqi intrusions into the Kuwaiti side of the demilitarized zone on 11 January 1993. It demands that any future retrieval mission be in accordance with the terms set out in the letter of 8 January 1993 from the President of the Council to the Secretary-General. On the UNIKOM facilities at Camp Khor, the Council stresses that the land and premises occupied by UNIKOM shall be inviolate and subject to the exclusive control and authority of the United Nations.

"The Council invites the Secretary-General, as a first step, to explore on an urgent basis the possibilities for restoring UNIKOM to its full strength and to consider in an emergency such as this the need for rapid reinforcement as set out in paragraph 18 of his report of 12 June 1991 (S/22692), as well as any other suggestions that he might have to enhance the effectiveness of UNIKOM, and to report back to the Council.

"The Council is also alarmed by Iraq's refusal to allow the United Nations to transport its Special Commission (UNSCOM) and UNIKOM personnel into Iraqi territory using its own aircraft. In this connection the Council reiterates the demand in its statement of 8 January 1993 that Iraq permit UNSCOM and UNIKOM to use their own aircraft to transport their personnel into Iraq. It rejects the arguments contained in the letter of 9 January 1993 from the Minister of Foreign Affairs of Iraq to the President of the Security Council (S/25086).

"These latest developments concerning the activities of UNIKOM and UNSCOM constitute further material breaches of resolution 687 (1991), which established the cease-fire and provided the conditions essential for the restoration of peace and security in the region, as well as other relevant resolutions and agreements. The Council demands that Iraq cooperate fully with UNIKOM, UNSCOM and other United Nations agencies in carrying out their mandates, and again warns Iraq of the serious consequences that will flow from such continued defiance. The Council will remain actively seized of the matter."